

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
First Regular Session  
2009

# **HOUSE BILL 2058**

AN ACT

AMENDING SECTION 12-213, ARIZONA REVISED STATUTES; RELATING TO JUDICIAL OFFICERS AND EMPLOYEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 12-213, Arizona Revised Statutes, is amended to  
3 read:

4           12-213. Commissioners in certain counties: appointment: powers  
5           and duties: salary

6       A. In counties having three or more superior court judges, the  
7 presiding judge may appoint court commissioners to serve at ~~his~~ THE PRESIDING  
8 JUDGE'S pleasure ~~who~~. APPONTEED COMMISSIONERS shall have such powers and  
9 duties as shall be provided by statute or by rule of the supreme court, ~~save~~  
10 ~~and~~ except THAT such commissioners are expressly prohibited, except in  
11 default hearings, from making any ex parte orders ~~which~~ THAT would deprive  
12 any person or persons from custody of their child or children, or change of  
13 counsel of attorneys, or deprive any person of ~~their~~ THE PERSON'S liberty, or  
14 deprive any person or entity from ~~their~~ THE PERSON'S OR ENTITY'S property or  
15 the use thereof, or any injunctive relief.

16       B. Commissioners appointed under subsection A shall receive an annual  
17 salary set by the presiding judge ~~which~~ THAT may not exceed ninety per cent  
18 of the salary of a judge of the superior court. The commissioner's salary  
19 shall be a county charge. An appointed commissioner shall be a duly licensed  
20 member of the state bar of Arizona ~~and shall have engaged in active general~~  
21 ~~practice of the law for a period of not less than three years next preceding~~  
22 ~~his appointment~~ FOR AT LEAST FIVE YEARS PRECEDING THE COMMISSIONER'S  
23 APPOINTMENT.

24           Sec. 2. Emergency

25       This act is an emergency measure that is necessary to preserve the  
26 public peace, health or safety and is operative immediately as provided by  
27 law.